

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PROPOSED
ARM 12.11.501 pertaining to the list) AMENDMENT
of water bodies with specific)
regulations found in administrative) NO PUBLIC HEARING
rule) CONTEMPLATED

TO: All Concerned Persons

1. On August 23, 2019, the Fish and Wildlife Commission (commission) proposes to amend the above-stated rule.

2. The commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than March 8, 2019, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-9785; or e-mail jesssnyder@mt.gov.

3. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

12.11.501 LIST OF WATER BODIES

(1) Alvord Lake ARM 12.11.3402
(1) through (10) remain the same but are renumbered (2) through (11).
(12) Bitterroot River ARM 12.11.610,
12.11.6301,
12.11.6302, &
12.11.6306
(12) through (19) remain the same but are renumbered (13) through (20).
(21) Brush Lake ARM 12.11.5303
(20) remains the same but is renumbered (22).
(23) Canyon Ferry Reservoir ARM 12.11.1001,
12.11.1002, &
12.11.3201
(22) through (38) remain the same but are renumbered (24) through (40).
(41) Flathead River ARM 12.11.2606
(39) through (52) remain the same but are renumbered (42) through (55).
(56) Helena Valley Equalizing Regulating
Reservoir Regulations ARM 12.11.3210
(54) through (62) remain the same but are renumbered (57) through (65).
(66) Kilbrennan Lake ARM 12.11.3423
(63) through (116) remain the same but are renumbered (67) through (120).

AUTH: 87-1-301, 87-1-303, MCA
IMP: 87-1-303, MCA

REASON: The commission maintains ARM 12.11.501 as a cross-reference to assist with locating rules pertaining to specific water bodies. The commission adopted new rules pertaining to the recreational use on the Flathead River, Alvord Lake, Kilbrennan Lake, and Brush Lake on May 26, 2011; new rules pertaining to the recreational use on Canyon Ferry on May 10, 2019; and new rules pertaining to commercial use on the Bitterroot River on May 24, 2019. ARM 12.11.501 was not updated and the commission is now proposing amendments to ARM 12.11.501 in order to incorporate the new rules.

4. Concerned persons may submit their data, views, or arguments either orally or in writing to: Department of Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, Helena, MT, 59620-0701; or e-mail jesssnyder@mt.gov, and must be received no later than August 2, 2019.

5. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be made by completing the request form at any rules hearing held by the department.

6. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

7. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Rebecca Dockter
Rebecca Dockter
Rule Reviewer
Department of Fish, Wildlife and Parks

/s/ Shane Colton
Shane Colton
Chair
Fish and Wildlife Commission

Certified to the Secretary of State June 25, 2019.